

CORBELLO v. DEVITO
CASE NO.: 2:08-cv-00867-RCJ-PAL

**EXHIBIT 5 TO PLAINTIFF'S MOTION TO COMPEL RE: WRITTEN DISCOVERY
TO DODGER THEATRICALS LTD AND JB VIVA VEGAS LP
INJUNCTIVE RELIEF**

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October 21, 2010

Via Fax: (214) 515-0411
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Gregory H. Guillot, Esq.
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Dallas, Texas 75240

Re: Corbello v. DeVito, et al.
Case No. 2:08-cv00867-RCJ-PAL

Dear Greg:

You have recently sent out a spate of nearly 20 subpoenas to related Dodger entities, passive investors and the Defendants' business associates. There may be more than I know of since I receive notice of them from you well after these people have been served. Some of the subpoenas are directed at third parties who may or may not have relevant information – that is up to you whom you subpoena in that respect.

But your efforts to subpoena business associates, and potential business associates such as GK Films, is a clear effort to undermine the Defendants' business relations and their prospective business advantage with these subpoenaed parties. As to GK Films, we do not yet have a signed agreement in place and there is not yet even a script.

Your efforts to interfere with and unsettle Defendants' business relations as well as your various communications and conversations with these parties in which you attempt to discredit and malign the defendants are wrong and harmful. They are not needed to achieve any legitimate purpose. The service of numerous subpoenas to these business associates for that improper purpose is also an abuse of process and an improper and oppressive use of discovery procedures.

Gregory H. Guillot, Esq.
October 21, 2010
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You should withdraw the subpoenas to these business associates.
Understand that if your efforts cause any of the defendants harm, they will look
to you to redress that harm.

Very truly yours,



David S. Korzenik

Cc: George Paul